Mirati Therapeutics, Inc.

Form 3

February 02, 2015

# FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

OMB APPROVAL

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Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF

**SECURITIES** 

30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting 2. Date of Event Requiring 3. Issuer Name and Ticker or Trading Symbol Person \* Statement Mirati Therapeutics, Inc. [MRTX] A Berkley Capital Management (Month/Day/Year) 01/29/2015 Ltd. (Last) (First) (Middle) 4. Relationship of Reporting 5. If Amendment, Date Original Person(s) to Issuer Filed(Month/Day/Year) C/O CAY HOUSE P.O. BOX (Check all applicable) N-7776 E.P.. TAYLOR DRIVE LYFORD CAY Director \_\_X\_\_ 10% Owner (Street) Officer Other 6. Individual or Joint/Group (give title below) (specify below) Filing(Check Applicable Line) Form filed by One Reporting Person NEW PROVIDENCE, Â C5Â \_X\_ Form filed by More than One Reporting Person (City) (State) (Zip) Table I - Non-Derivative Securities Beneficially Owned 2. Amount of Securities 4. Nature of Indirect Beneficial 1. Title of Security Beneficially Owned Ownership Ownership (Instr. 4) (Instr. 4) Form: (Instr. 5) Direct (D) or Indirect (Instr. 5) 0 D (1) Â Common Stock  $D^{(2)}$ Â Common Stock 1,950,732 Â Common Stock 429,340  $D^{(3)}$ Reminder: Report on a separate line for each class of securities beneficially SEC 1473 (7-02) owned directly or indirectly. Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a

Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

currently valid OMB control number.

#### Edgar Filing: Mirati Therapeutics, Inc. - Form 3

1. Title of Derivative Security (Instr. 4)

**Expiration Date** (Month/Day/Year)

2. Date Exercisable and 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)

Conversion or Exercise Price of Derivative Security

5. Ownership Form of Derivative Security:

Direct (D)

or Indirect

6. Nature of Indirect Beneficial Ownership (Instr. 5)

Date Expiration Exercisable Date

Amount or Title Number of Shares

(I) (Instr. 5)

# **Reporting Owners**

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Berkley Capital Management Ltd. C/O CAY HOUSE P.O. BOX N-7776 E.P. TAYLOR DRIVE LYFORD CAY NEW PROVIDENCE, C5Â	Â	ÂΧ	Â	Â
Boxer Asset Management Inc. C/O CAY HOUSE P.O. BOX N-7776 E.P. TAYLOR DRIVE LYFORD CAY NEW PROVIDENCE, C5Â	Â	ÂΧ	Â	Â
MVA Investors, LLC C/O CAY HOUSE P.O. BOX N-7776 E.P. TAYLOR DRIVE LYFORD CAY NEW PROVIDENCE, C5Â	Â	ÂX	Â	Â
LEWIS JOSEPH C/O CAY HOUSE P.O. BOX N-7776 E.P. TAYLOR DRIVE LYFORD CAY NEW PROVIDENCE, C5Â	Â	ÂX	Â	Â
Boxer Capital, LLC 440 STEVENS AVE, SUITE 100 SOLANA BEACH, CA 92075	Â	ÂX	Â	Â
Cianaturas				

### Signatures

Signatures	
Boxer Capital, LLC, By: /s/ Aaron Davis	02/02/2015
**Signature of Reporting Person	Date
Boxer Asset Management Inc., By: /s/ Jefferson Voss	02/02/2015
**Signature of Reporting Person	Date
MVA Investors, LLC, By: /s/ Christopher Fuglesang	02/02/2015
**Signature of Reporting Person	Date
Joseph Lewis, By: /s/ Joseph C. Lewis	02/02/2015
**Signature of Reporting Person	Date
	02/02/2015

2 Reporting Owners

Berkley Capital Management Ltd., By: /s/ Jefferson Voss

\*\*Signature of Reporting Person

Date

## **Explanation of Responses:**

- \* If the form is filed by more than one reporting person, see Instruction 5(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- Berkley Capital Management Ltd. ("Berkley Capital") may be deemed to be a member of a "group" for purposes of Section 13(d) of the Securities Exchange Act of 1934, as amended, consisting of (i) Berkley Capital, (ii) Boxer Capital, LLC ("Boxer Capital"), (iii) Boxer Asset Management Inc. ("Boxer Management"), (iv) MVA Investors, LLC ("MVA Investors"), and (v) Joseph Lewis (collectively, the "Boxer Group"). Joseph Lewis is the sole indirect owner of and controls Berkley Capital.
- (2) These securities are owned directly by Boxer Capital, and indirectly by Boxer Management and Joseph Lewis, by virtue of their ownership in Boxer Capital.
- These securities are owned directly and solely by MVA Investors, which has sole voting and dispositive power with respect to these securities. Each member of the Boxer Group other than MVA Investors disclaims beneficial ownership of these securities to the extent it or he does not have a pecuniary interest therein.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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